

REMARKS

This amendment is offered in response to the Office Action of August 3, 2004.

The Office Action objects to the term “integrated in a single self-contained element”.

Claims 1, 12 and 23 have been amended to recite “integral within the toy building element”. It is respectfully submitted that this overcomes the objection.

The Office Action rejects Claims 1, 3-12, 14-23 and 25-33 under 35 U.S.C. §103(a) as obvious over the Haugerud reference (U.S. Patent No. 4,712,184) in view of the Chainani reference (U.S. Patent No. 5,724,024). Similarly, the Office Action rejects Claims 1, 3-12, 14-23 and 25-33 under 35 U.S.C. §103(a) as obvious over the Haugerud reference in view of the Chainani reference and either the Choi reference (U.S. Patent No. 6,083,104) or the Ho reference (U.S. Patent No. 5,259,626).

In response, Claim 1 has been amended to recite (with similar amendments made to independent Claims 12 and 23):

coupling means mechanically inter-connectable with toy building elements that (802-810) whereby a toy construction assembled from the microprocessor controlled toy building element (101, 501) and said toy building elements (801-810) can be moved around by activation means, said activation means being controllable in response to the instructions, ...

communications means (504, 505) which is arranged to transmit the list of subprogram calls to a second toy building element (502) for programming of [[it]] said second toy building element (502), whereby the toy building element (101, 501) and said second toy building element (502) can be moved in concert;

It is respectfully submitted that cited prior art does not show mechanically interconnected building elements, the toy building element and the second toy building element moving in concert and further wherein subroutine calls are communicated from one toy building element to another.

New claims 34-36 have been added. It is respectfully submitted that these claims are allowable as the prior art does not show mechanically connected building elements wherein subroutine calls are communicated from one building element to another.

It is therefore respectfully submitted that all of the presently pending claims are patentable over the cited art.

For all of the reasons above, it is respectfully submitted that all of the presently pending claims are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the rejections of the claims, to allow the claims, and to pass this application to early issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald Levy", with a stylized flourish at the end.

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